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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

FOURTH APPELLATE DISTRICT

DIVISION THREE

THE PEOPLE,

Plaintiff and Respondent,

v.

DANIEL MOLINAR JR.,

Defendant and Appellant.

G039616

(Super. Ct. No. 07CF0286)

ORDER MODIFYING OPINION
AND DENYING PETITION FOR
REHEARING
(No change in Judgment)

It is ordered that the opinion filed on November 25, 2008, be modified as follows:

1. On page 9, after the first sentence in second full paragraph, add the following sentence as footnote 4 and renumber any subsequent footnotes: “Because we find no error in the making or executing of the plea bargain, we also deny appellant’s request to deem his supplemental letter brief as a petition for writ of mandate. (*In re Brown* (1973) 9 Cal.3d 679, 684, superseded by statute on another point.)”

This modification does not effect a change in the judgment. The petition for rehearing is DENIED.

SILLS, P. J.

WE CONCUR:

BEDSWORTH, J.

IKOLA, J.